

NOTICE OF FINAL EXEMPT RULEMAKING
TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 16. ARIZONA MEDICAL BOARD
PREAMBLE

1. Articles, Parts, and Sections Affected

Rulemaking Action

R4-16-201	Amend
R4-16-201.1	New Section
R4-16-202	Amend
R4-16-203	Amend
R4-16-204	Repeal
R4-16-205	Amend
R4-16-205.1	New Section
R4-16-206	Amend
R4-16-207	Repeal
Table 1	Amend

2. Citations to the agency's statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. §§ 32-1403(A)(8) and 32-1404(D)

Implementing statute: A.R.S. §§ 32-1422, 32-1423, 32-1425, 32-1426, 32-1428, 32-1429, 32-1430, 32-1432, 32-1432.01, 32-1432.02, and 32-1432.03

Statute or session law authorizing the exemption: Laws 2015, Chapter 251, Section 3

3. The effective date for the rules and the reason the agency selected the effective date:

Under A.R.S. § 41-1032(A)(1) and (4), the rules in this rulemaking will be effective immediately because the rules are necessary to preserve public health and safety and because they provide a benefit to the public and no penalty is associated with the rules.

4. Citation to all related notices published in the *Register* to include the *Register* as specified in R1-1-409(A) that pertain to the record of the exempt rulemaking:

None

5. The agency's contact person who can answer questions about the rulemaking:

Name: Patricia McSorley, Executive Director

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6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:

The Board is initiating this rulemaking in response to a 2013 report issued by the Arizona Office of the Ombudsman-Citizens' Aide regarding the Board's handling of license applications and complaints and a U.S. Department of Justice report concluding that questions similar to those asked by the Board single out applicants based on their status of having a mental health disability rather than their conduct and violate the Americans with Disabilities Act. Additionally, the rulemaking makes the rules consistent with Laws 2015, Chapter 251, in which the legislature amended the Board's statutes regarding submission of documents with a license application.

An exemption from Executive Order 2015-01 was provided to the Board by Ted Vogt, Chief of Operations in the Governor's office, in an e-mail dated July 17, 2015.

7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Board neither reviewed nor relied on a study relevant to the rulemaking in its evaluation of or justification for any rule in this rulemaking.

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. A summary of the economic, small business, and consumer impact, if applicable:

The Board, which currently licenses 22,670 individuals, believes the rules will have minimal economic impact. During the last year, the Board received applications from 1,523 individuals. The changes, all of which will have positive economic benefits for licensees and applicants, include:

- Making the rules consistent with the ADA
- No longer requiring certified copies of documents
- Establishing a procedure for waiving the documentation requirements regarding malpractice allegations

- Easing requirements regarding necessary photographs
- Allowing electronic submission of documentation
- Allowing use of credential verification organizations
- Allowing an extension of time to respond to a notice of deficiency or request for additional information

10. A description of any changes between the proposed rulemaking, including supplemental notices, and the final rulemaking (if applicable):

The Board did not publish the proposed rules in the *Register*. It did, however, post them on the Board's web site and took public comment. After the posting, the Board added R4-16-206(D), which provides that an applicant may obtain an extension of time to respond to a notice of deficiency or a request for additional information.

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to comments, if applicable:

The Board held three public meetings regarding the proposed rules. The meeting on September 9, 2015, was attended by seven individuals. Minor changes were suggested and made. One of those who attended the September 9, 2015, meeting was the only individual to attend the September 14, 2015, meeting. No additional comments were made. No one attended the September 16, 2015 meeting.

12. Other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:

Laws 2015, Chapter 251, Section 3, requires the Board to provide public notice and an opportunity for public comment on the proposed rules at least 30 days before a rule is made or amended. The Board posted a draft of the proposed rules on its web site on August 28, 2015. The Board held three public meetings regarding the proposed rules.

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The licenses, permits, and registrations listed in Table 1 are general permits consistent with A.R.S. § 41-1037 because they are issued to qualified individuals or entities to conduct activities that are substantially similar in nature.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

None of the rules is more stringent than federal law. There are numerous federal laws relating to the provision of health care but none is directly applicable to this rulemaking. Some of the

amendments to R4-16-201 are designed to ensure the rule is consistent with the Americans with Disabilities Act.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No analysis was submitted.

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:

Not applicable

14. Whether the rule was previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the *Register* as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

None of the rules in this rulemaking was previously made, amended, or repealed as an emergency rule.

15. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 16. ARIZONA MEDICAL BOARD

ARTICLE 2. LICENSURE

Section

R4-16-201.	Application for Licensure by Examination or Endorsement
<u>R4-16-201.1</u>	<u>Application for Renewal of License</u>
R4-16-202.	Application <u>and Reapplication</u> for Pro Bono Registration
R4-16-203.	Application for Locum Tenens Registration
R4-16-204.	Licensure by Endorsement <u>Repealed</u>
R4-16-205.	Fees <u>and Charges</u>
<u>R4-16-205.1.</u>	<u>Mandatory Reporting Requirement</u>
R4-16-206.	Time frames <u>Time Frames</u> for Licenses, Permits, and Registrations
R4-16-207.	Time frames for License Renewal; Expiration <u>Repealed</u>
Table 1.	Time frames <u>Time Frames (in calendar days)</u>

ARTICLE 2. LICENSURE

R4-16-201. Application for Licensure by Examination or Endorsement

A. For purposes of this Article, unless otherwise specified:

1. “ABMS” means American Board of Medical Specialties.
- ~~1.2.~~ “ECFMG” means Educational Commission for Foreign Medical Graduates.
3. “FCVS” means Federation Credentials Verification Service.
- ~~2.4.~~ “FLEX” means Federation Licensing Examination.
- ~~3.5.~~ “LMCC” means Licentiate of the Medical Council of Canada.
4. ~~“Medical Condition” means the following physiological, mental, or psychological conditions or disorders: (a) chronic and uncorrected orthopedic, visual, speech, or hearing impairments; (b) cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, HIV disease, or tuberculosis; or (c) specific learning disabilities, dementia, Alzheimer’s, bipolar disorder, schizophrenia, paranoia, or any psychotic disorder.~~
6. “NBME” means National Board of Medical Examiners.
7. “Primary source” means the original source or an approved agent of the original source of a specific credential that can verify the accuracy of a qualification reported by an applicant.
- ~~5.8.~~ “SPEX” means Special Purposes Examination.
- ~~6.9.~~ “USMLE” means United States Medical Licensing Examination.

B. An applicant for licensure to practice medicine by ~~endorsement~~, Step 3 of the USMLE, or by endorsement ~~with the SPEX~~ shall submit the following information on an application form ~~provided by~~ available on request from the Board and on the Board’s web site:

1. Applicant’s full name, social security number, business and home addresses, primary e-mail address, business and home telephone numbers, and date and place of birth;
2. Name of the school of medicine from which the applicant graduated and date of graduation;
3. A complete list of the applicant’s internship, residency, and fellowship training;
4. List of all licensing examinations taken;
- ~~2.5.~~ Names of the states, U.S. territories, or provinces in which the applicant has applied for or has been granted a license or registration to practice medicine, including license number, date issued, and current status of the license;
- ~~3.6.~~ A statement of whether the applicant:
 - a. ~~Whether the applicant has~~ Has had an application for medical licensure denied or rejected by another state or province licensing board, and if so, an explanation;

4. ~~b. Whether any~~ Has ever had any disciplinary or rehabilitative action ~~has ever been~~ taken against the applicant by another licensing board, including other health professions, and if so, an explanation;
5. ~~c. Whether any~~ Has had any disciplinary actions, restrictions, or limitations ~~have been~~ taken against the applicant while participating in any type of training program or by any health care provider, and if so, an explanation;
6. ~~d. Whether the applicant has~~ Has been found in violation of a statute, rule, or regulation of any domestic or foreign governmental agency, and if so, an explanation;
7. ~~e. Whether the applicant is~~ Is currently under investigation by any medical board or peer review body, and if so, an explanation;
8. ~~f. Whether the applicant has ever had a medical license disciplined resulting in a revocation, suspension, limitation, restriction, probation, voluntarily surrender, cancellation during an investigation or entered into a consent agreement or stipulation, and if so, an explanation;~~ Has been subject to discipline resulting in a medical license being revoked, suspended, limited, cancelled during investigation, restricted, or voluntarily surrendered, or resulting in probation or entry into a consent agreement or stipulation and if so, an explanation;
9. ~~g. Whether the applicant has~~ Has had hospital privileges revoked, denied, suspended, or restricted, and if so, an explanation;
10. ~~h. Whether the applicant has~~ Has been named as a defendant in a malpractice matter currently pending or that resulted in a settlement or judgment against the applicant, and if so, an explanation;
11. ~~i. Whether the applicant has~~ Has been subjected to any regulatory disciplinary action, including censure, practice restriction, suspension, sanction, or removal from practice, imposed by any agency of the federal or state government, and if so, an explanation;
12. ~~j. Whether the applicant has~~ Has had the authority to prescribe, dispense, or administer medications limited, restricted, modified, denied, surrendered, or revoked by a federal or state agency as a result of disciplinary or other adverse action, and if so, an explanation;
13. ~~Whether the applicant, within the last five years, has or had a medical condition that impairs or limits the applicant's ability to safely practice medicine, and if so, an explanation;~~
14. ~~Whether the applicant engages in the illegal use of any controlled substance, habit forming drug, or prescription medication, and if so, an explanation;~~
15. ~~Whether the applicant has consumed intoxicating beverages resulting in the applicant's present ability to exercise the judgment and skills of a medical professional, being impaired or limited, and if so, an explanation;~~

- ~~16. k. Whether the applicant has~~ Has been found guilty or entered into a plea of no contest to a felony, ~~or a misdemeanor involving moral turpitude in any state, and if so, an explanation;~~
- ~~17. A complete list of the applicant's internship, residency, and fellowship training;~~
- ~~18.7.~~ Whether the applicant is currently certified by any of the American Board of Medical Specialties;
- ~~19.8.~~ The applicant's intended specialty;
- ~~20.9.~~ Consistent with the Board's ~~statutory~~ authority at A.R.S. § 32-1422(B), other information the Board may deem necessary to ~~fully~~ evaluate the applicant fully;
- ~~21. A photograph of passport quality no larger than 2 1/2 x 3 inches taken not more than 60 days before the date of application; and~~
10. Whether the applicant completed a training unit prescribed by the Board regarding the requirements of A.R.S. Title 32, Chapter 13 and this Chapter;
11. In addition to the answers provided under subsections (B)(1) through (B)(10), the applicant shall answer the following confidential question:
- a. Whether the applicant has received treatment within the last five years for use of alcohol or a controlled substance, prescription-only drug, or dangerous drug or narcotic or a physical, mental, emotional, or nervous disorder or condition that currently affects the applicant's ability to exercise the judgment and skills of a medical professional;
 - b. If the answer to subsection (B)(11)(a) is yes:
 - i. A detailed description of the use, disorder, or condition; and
 - ii. An explanation of whether the use, disorder, or condition is reduced or ameliorated because the applicant receives ongoing treatment and if so, the name and contact information for all current treatment providers and for all monitoring or support programs in which the applicant is currently participating; and
 - c. A copy of any public or confidential agreement or order relating to the use, disorder, or condition, issued by a licensing agency or health care institution within the last five years, if applicable; and
- ~~22.12.~~ A notarized statement, signed by the applicant, verifying the truthfulness of the information provided, and that the applicant has not engaged in any acts prohibited by Arizona law or Board rules, and authorizing release of any required records or documents to complete application review.
- C. In addition to the application form required under subsection (B), an applicant for licensure to practice medicine by ~~endorsement~~, Step 3 of the USMLE; or endorsement ~~with the SPEX~~ shall submit the following:

1. ~~Certified~~ A copy of the applicant's birth certificate or passport with a notarized certificate of identification, which is a form available on request from the Board and on the Board's web site;
 2. ~~Certified evidence~~ Evidence of legal name change if the applicant's legal name is different from that shown on the document submitted under subsection ~~(B)(1)~~ (C)(1);
 3. Documentation listed under A.R.S. § 41-1080(A) showing that the applicant's presence in the U.S. is authorized under federal law;
 - ~~3-4.~~ Complete list of all hospital affiliations and medical employment for the past five years before the date of application;
 - ~~4-5.~~ Verification of any medical malpractice matter currently pending or resulting in a settlement or judgment against the applicant, including a copy of the complaint and either the agreed terms of settlement or the judgment and a narrative statement specifying the nature of the occurrence resulting in the medical malpractice action. The verification must contain the name and address of each defendant, the name and address of each plaintiff, the date and location of the occurrence which created the claim and a statement specifying the nature of the occurrence resulting in the medical malpractice action; An applicant who is unable to obtain a document required under this subsection may apply under subsection (E) a waiver of the requirement;
 6. A full set of fingerprints and the processing charge specified in R4-16-205;
 7. A paper or digital headshot photograph of the applicant taken no more than 60 days before the date of application; and
 - ~~5-8.~~ The fee required in authorized under A.R.S. § 32-1436 and specified in R4-16-205.
- D.** In addition to the requirements of subsections ~~(A) and (B)~~ and (C), an applicant for licensure to practice medicine by ~~endorsement~~, by Step 3 of the USMLE; or ~~by endorsement with the SPEX~~ shall have the following ~~directly~~ submitted to the Board, electronically or in hard copy, by the primary source, ECFMG, Veridoc, or FCVS:
1. ~~The following forms must be included with the application and be completed by persons other than the applicant:~~ Official transcript or other authentication of graduation from a school of medicine;
 - a. ~~Medical College Certification;~~
 - b. ~~Postgraduate Training Certification;~~
 - c. ~~Clinical Instructor Certification;~~
 - d. ~~ECFMG certification if applicant is an international graduate;~~
 - e. ~~Federation of State Medical Boards Disciplinary Search;~~
 - f. ~~American Medical Association Physician Profile; and~~
 - g. ~~Verification of American Board of Medical Specialty Certification, if applicable;~~

2. Verification of completion of postgraduate training;
 3. Verification of ECFMG certification if the applicant graduated from an unapproved school of medicine;
 - ~~2.4.~~ Examination and Board ~~History Report~~ history report scores for USMLE, FLEX, NBME, and SPEX;
 - ~~3.5.~~ Verification of LMCC exam score; or state written exam score; ~~or national board exam score~~;
 - ~~4.6.~~ Verification of licensure from every state in which the applicant has ever held a medical license; and
 - ~~5.7.~~ Verification of all hospital affiliations ~~and employment for the past~~ during the five years before the date of application. ~~This must be submitted by the verifying entity on its~~ Under A.R.S. § 32-1422(A)(11)(b), this verification is required to be on the hospital's official letterhead; or the electronic equivalent; and
 8. Verification of all medical employment during the five years before the date of application. Under A.R.S. § 32-1422(A)(11)(b), this verification may be submitted by the employer.
- E.** As provided under A.R.S. § 32-1422(F), the Board may waive a documentation requirement specified under subsections (C)(5) and (D).
1. To obtain a waiver under this subsection, an applicant shall submit a written request that includes the following information:
 - a. Applicant's name;
 - b. Date of request;
 - c. Document required under subsection (C)(5) or (D) for which waiver is requested;
 - d. Detailed description of efforts made by the applicant to provide the document as required under subsection (C)(5) or (D);
 - e. Reason the applicant's inability to provide the document as required under subsection (C)(5) or (D) is due to no fault of the applicant; and
 - f. If applicable, documents that support the request for waiver.
 2. The Board shall consider the request for waiver at its next regularly scheduled meeting.
 3. In determining whether to grant the request for waiver, the Board shall consider whether the applicant:
 - a. Made appropriate and sufficient effort to satisfy the requirement under subsection (C)(5) or (D); and
 - b. Demonstrated that compliance with the requirement under subsection (C)(5) or (D) is not possible because:
 - i. The entity responsible for issuing the required document no longer exists;

- ii. The original of the required document was destroyed by accident or natural disaster;
 - iii. The entity responsible for issuing the required document is unable to provide verification because of armed conflict or political strife; or
 - iv. Another valid reason beyond the applicant's control prevents compliance with the requirement under subsection (C)(5) or (D).
- 4. In determining whether to grant the request for waiver, the Board shall:
 - a. Consider whether it is possible for the Board to obtain the required document from other source; and
 - b. Request the applicant to obtain and provide additional information the Board believes will facilitate the Board's decision.
- 5. If the Board determines the applicant is unable to comply with a requirement under subsection (C)(5) or (D) in spite of the applicant's best effort and for a reason beyond the applicant's control, the Board may grant the request for waiver and include the decision in the Board's official record for the applicant.
- 6. The Board shall provide the applicant with written notice of its decision regarding the request for waiver. The Board's decision is not subject to review or appeal.
- F. As provided under A.R.S. § 32-1426(B), the Board may require an applicant for licensure by endorsement who passed an examination specified in A.R.S. § 32-1426(A) more than ten years before the date of application to provide evidence the applicant is able to engage safely in the practice of medicine.
 - 1. If an applicant is board certified by one of the specialties recognized by the ABMS, the Board shall find that the applicant is able to engage safely in the practice of medicine.
 - 2. If an applicant is not board certified by one of the specialties recognized by the ABMS, the Board may consider one or more of the following to determine whether the applicant is able to engage safely in the practice of medicine:
 - a. The applicant's records,
 - b. The applicant's practice history,
 - c. The applicant's score on the SPEX, and
 - d. A physical or psychological assessment of the applicant.

R4-16-201.1 Application for Renewal of License

- A. Under A.R.S. § 32-1430(A), an individual licensed under A.R.S. Title 32, Chapter 13, shall renew the license every other year on or before the licensee's birthday.

- B.** To renew a license, a licensee shall submit the following information on an application form available on request from the Board and on the Board's web site:
1. The licensee's full name, license number, business and home addresses, primary e-mail address, and business and home telephone numbers;
 2. Identification of changes to medical specialties and fields of practice;
 3. A statement of whether, since the time of last license issuance, the licensee:
 - a. Has had an application for medical licensure denied or rejected by another state or province licensing board and if so, an explanation;
 - b. Has had any disciplinary or rehabilitative action taken against the licensee by another licensing board, including other health professions and if so, an explanation;
 - c. Has had any disciplinary action, restriction, or limitation taken against the licensee by any program or health care provider and if so, an explanation;
 - d. Has been subject to discipline resulting in a medical license being revoked, suspended, limited, cancelled during an investigation, restricted, or voluntarily surrendered, or resulting in probation or entry into a consent agreement or stipulation and if so, an explanation;
 - e. Has had hospital privileges revoked, denied, suspended, or restricted and if so, an explanation (do not report if the licensee's hospital privileges were suspended due to failure to complete hospital records and reinstated after no more than 90 days);
 - f. Has been subjected to disciplinary action including censure, practice restriction, suspension, sanction, or removal from practice by an agency of the state or federal government and if so, an explanation;
 - g. Has had the authority to prescribe, dispense, or administer medications limited, restricted, modified, denied, surrendered, or revoked by a federal or state agency as a result of disciplinary or other adverse action and if so, an explanation;
 - h. Has been found guilty or entered into a plea of no contest to a felony, a misdemeanor involving moral turpitude, or an alcohol or drug-related offense in any state and if so, an explanation; and
 - i. Has failed the SPEX;
 4. A statement of whether the licensee understands and complies with the medical records and recordkeeping requirements in A.R.S. §§ 32-3211 and 12-2297;
 5. A statement of whether the licensee has completed at least 40 hours of CME as required under A.R.S. § 32-1434 and R4-6-102;
 6. A statement of whether the licensee requests that the license be inactivated or cancelled; and

7. A statement of whether the licensee completed a training unit prescribed by the Board regarding the requirements of A.R.S. Title 32, Chapter 13 and this Chapter.

C. Additionally, the licensee shall answer the following confidential question:

1. Whether the applicant has received treatment since the last renewal for use of alcohol or a controlled substance, prescription-only drug, or dangerous drug or narcotic or a physical, mental, emotional, or nervous disorder or condition that currently affects the applicant's ability to exercise the judgment and skills of a medical professional;
2. If the answer to subsection (C)(1) is yes:
 - a. A detailed description of the use, disorder, or condition; and
 - b. An explanation of whether the use, disorder, or condition is reduced or ameliorated because the applicant receives ongoing treatment and if so, the name and contact information for all current treatment providers and for all monitoring or support programs in which the applicant is currently participating; and
3. A copy of any public or confidential agreement or order relating to the use, disorder, or condition, issued by a licensing agency or health care institution since the last renewal, if applicable.

D. To renew a license, a licensee shall submit the following with the required application form:

1. If the document submitted under R4-16-201(C)(3) was a limited form of work authorization issued by the federal government, evidence that the licensee's presence in the U.S. continues to be authorized under federal law;
2. The renewal fee specified under R4-16-205 and, if applicable, the penalty fee for late renewal; and
3. An attestation that all information submitted is correct.

R4-16-202. Application and Reapplication for Pro Bono Registration

A. An applicant for a pro bono registration to practice medicine for a maximum of 60 days in a calendar year in Arizona shall submit the following information on an application on a form provided by available on request from the Board and on the Board's web site: ~~that provides the information required by R4-16-106(B).~~

1. Applicant's full name, social security number, business and home addresses, primary e-mail address, and business and home telephone numbers;
2. List of all states, U.S. territories, and provinces in which the applicant is or has been licensed to practice medicine;
3. A statement verifying that the applicant:
 - a. Agrees to render all medical services without accepting a fee or salary; or

- b. Agrees to perform only initial or follow-up examinations at no cost to the patient or the patient's family through a charitable organization.
- B. In addition to the application form required under subsection (A), an applicant for a pro bono registration to practice medicine shall submit the following: documentation listed under A.R.S. § 41-1080(A) showing that the applicant's presence in the U.S. is authorized under federal law.
1. Certified copy of the applicant's medical degree diploma;
 2. Certified copies of internship, residency, or fellowship certificates;
 3. Photocopy of any current license to practice medicine in another state, territory, or possession of the United States or the District of Columbia, along with a letter from the medical board issuing the license, certifying that the license is current and in good standing;
 4. Certified copy of ECFMG certificate, if applicable;
 5. The fee required in A.R.S. § 32-1436.
- C. ~~In addition to the requirements of subsections (A) and (B), an applicant for pro bono registration shall have the following directly submitted to the Board:~~ An applicant may make application for a pro bono registration annually. A previously registered applicant may apply for a pro bono registration by submitting the following information on an application form available on request from the Board and on the Board's web site:
1. ~~American Medical Association physician profile;~~ Applicant's full name, home address and telephone number, and primary e-mail address;
 2. ~~Federation of State Medical Boards disciplinary search; and~~ Number of previous pro bono registration;
 3. ~~Verification of licensure from every state in which the applicant has ever held a license.~~ Name of each state, U.S. territory, and province in which the applicant holds an active medical license;
 4. A statement whether since issuance of the last pro bono registration:
 - a. Any disciplinary action has been taken against the applicant, and
 - b. Any unresolved complaints are currently pending against the applicant with any state board;and
 5. If the document submitted under R4-16-202(B) was a limited form of work authorization issued by the federal government, evidence that the applicant's presence in the U.S. continues to be authorized under federal law.

R4-16-203. Application for Locum Tenens Registration

- A. An applicant for a locum tenens registration to practice medicine for a maximum of 180 consecutive days in Arizona shall submit an application ~~on a form provided by~~ available on request from the Board and on the Board's web site that provides the information required ~~by R4-16-107(A) under R4-16-201(B).~~
- B. In addition to the application form required under subsection (A), an applicant for a locum tenens registration to practice medicine shall have the submit the following submitted directly to the Board, electronically or in hard copy, by the primary source, ECFMG, Veridoc, or FCVS:
1. ~~Certified copy of the applicant's medical degree diploma~~ Official transcript or other authentication of graduation from a school of medicine;
 2. ~~Certified copies of internship, residency, or fellowship certificates~~ Verification of completion of postgraduate training;
 3. A statement completed by the sponsoring Arizona-licensed physician giving the reason for the request for issuance of the registration; ~~and~~
 4. ~~Certified copy~~ Verification of ECFMG ~~certificate, certification~~ if ~~applicable. the applicant~~ graduated from an unapproved school of medicine; and
 5. Verification of licensure from every state in which the applicant has ever held a medical license.
- C. ~~In addition to the requirements of subsections (A) and (B), an applicant for locum tenens registration shall have the following directly submitted to the Board:~~ In addition to the application form required under subsection (A), an applicant for a locum tenens registration to practice medicine shall submit the following:
1. ~~American Medical Association physician profile;~~ Documentation listed under A.R.S. § 41-1080(A) showing that the applicant's presence in the U.S. is authorized under federal law;
 2. ~~Federation of State Medical Boards disciplinary search; and~~ A full set of fingerprints and the charge specified in R4-16-205;
 3. ~~Verification of licensure from every state in which the applicant has ever held a license. A copy of a government-issued photo identification; and~~
 4. The fee specified under R4-16-205.

R4-16-204. Licensure by Endorsement Repealed

- A. ~~An applicant for licensure by endorsement may make a written request of the Board, for an extension of the seven year period provided by A.R.S. § 32-1426(B)(4) to pass one of the combinations of~~

~~specified examinations. The applicant shall submit the written request to the Board with evidence that:~~

- ~~1. The applicant meets all requirements for licensure and for taking the United States Medical Licensing Examination;~~
- ~~2. The combination of examinations cannot be passed in the time required by law, and~~
- ~~3. The applicant is:~~
 - ~~a. A full-time student in an approved school of medicine, as defined in A.R.S. § 32-1401(5);~~
 - ~~b. A participant in an approved hospital internship, residency, or clinical fellowship program, as defined in A.R.S. § 32-1401(4); or~~
 - ~~c. A full-time student in a recognized medical degree program, as defined in subsection (E), concurrently or consecutively with medical school or postgraduate training.~~

~~**B.** If the Board determines that the applicant satisfies the requirements of subsection (A), the Board shall grant the extension.~~

~~**C.** An extension shall not exceed 10 years from the date on which the applicant successfully completes the first part of the combination of examinations.~~

~~**D.** If the Board denies the request for extension, the applicant may request a hearing by filing a written notice with the Board no later than 30 days after receipt of notice of the Board's action. A hearing shall be conducted according to A.R.S. Title 41, Chapter 6, Article 10.~~

~~**E.** In this Section, a "recognized degree program" means an education program offered by a college or university approved by the New England Association of Schools and Colleges, Middle States Association of Colleges and Secondary Schools, North Central Association of Colleges and Schools, Northwest Association of Schools and Colleges, Southern Association of Colleges and Schools, or Western Association of Schools and Colleges or accredited by the United States Department of Education, Council on Postsecondary Accreditation, Association of American Medical Colleges, the Association of Canadian Medical Colleges, or the American Medical Association.~~

~~**F.** An applicant for licensure by endorsement under A.R.S. § 32-1426(C) who provides proof of passing an examination specified in A.R.S. § 32-1426(A) more than ten years before the date of filing shall:~~

- ~~1. Hold a current certification in an American Board of Medical Specialty ("ABMS"), or~~
- ~~2. Take and pass the Special Purposes Examination (SPEX).~~

R4-16-205. Fees and Charges

A. The As specifically authorized under A.R.S. § 32-1436(A), the Board charges establishes and shall collect the following fees, which are nonrefundable unless A.R.S. § 41-1077 applies:

1. Application for a license through endorsement, USMLE Step 3, or Endorsement with SPX Examination, \$500;
2. Issuance of an initial license, \$500, ~~which may be~~ prorated from date of issuance to date of license renewal;
3. ~~Two-year~~ Renewal of license renewal for two years, \$500;
4. Reactivation of an inactive license, \$500, ~~which may be~~ prorated from date of reactivation to date of license renewal;
5. Locum tenens registration, \$350;
- ~~6. Duplicate license, \$50;~~
- ~~7-6.~~ Annual registration of an approved internship, residency, clinical fellowship program, or short-term residency program, \$50;
- ~~8-7.~~ Annual teaching license at an approved school of medicine or at an approved hospital internship, residency, or clinical fellowship program, \$250;
- ~~9-8.~~ Five-day teaching permit at an approved school of medicine or at an approved hospital internship, residency, or clinical fellowship program, \$100;
- ~~10.~~ Copy of the annual allopathic medical directory, \$30;
- ~~11-9.~~ Initial registration to dispense drugs and ~~devises~~ devices, \$200;
- ~~12-10.~~ Annual renewal to dispense drugs and ~~devises~~ devices, \$150; and
- ~~13-11.~~ Penalty fee for late renewal of an active license, \$350; ;

B. As specifically authorized under A.R.S. § 32-1436(B), the Board establishes the following charges for the services listed:

1. Processing fingerprints to conduct a criminal background check, \$50;
2. Providing a duplicate license, \$50;
- ~~14-3.~~ Verifying a license, \$10 per request;
- ~~15-4.~~ Copies Providing a copy of records, documents, letters, minutes, applications, and files, \$1 for the first three pages and 25¢ for each additional page;
5. Providing a copy of annual allopathic medical directory, \$30; and
- ~~16-6.~~ ~~Data disk~~ Providing an electronic medium containing public information about licensed physicians, \$100.

R4-16-205.1. Mandatory Reporting Requirement

- A. As required under A.R.S. § 32-3208, an applicant, licensee, permit holder, or registrant who is charged with a misdemeanor involving conduct that may affect patient safety or a felony shall provide written notice of the charge to the Board within 10 working days after the charge is filed.**

- B.** An applicant, licensee, permit holder, or registrant may obtain a list of reportable misdemeanors on request from the Board and on the Board's web site.
- C.** Failure to comply with A.R.S. § 32-3208 and this Section is unprofessional conduct.

R4-16-206. ~~Time-frames~~ Time Frames for Licenses, Permits, and Registrations

- A.** For each type of license, permit, or registration issued by the Board, the overall ~~time-frame~~ time frame under A.R.S. § 41-1072(2) is shown on Table 1.
- B.** For each type of license, permit, or registration issued by the Board, the administrative completeness review ~~time-frame~~ time frame under A.R.S. § 41-1072(1) is shown on Table 1 and begins on the date the Board receives an application and all required documentation and information.
1. If the ~~required~~ application is not administratively complete, the Board shall send a written deficiency notice to the applicant.
 - a. In the deficiency notice, the Board shall state each deficiency and the information ~~required to complete the application~~ or supporting documentation required to complete the application. In the deficiency notice, the Board shall include a written notice that the application is withdrawn if the applicant does not submit the ~~additional~~ required information or documentation within the time provided for response.
 - b. Within the time provided in Table 1 for response to a deficiency notice, the applicant shall submit to the Board the ~~requested~~ documentation or information specified in the notice. The ~~time-frame~~ time frame for the Board to finish the administrative completeness review is suspended from the date of the notice until the date the Board receives the ~~requested~~ documentation or information from the applicant.
 2. Within 30 days after receipt of a deficiency notice, an applicant who disagrees with the deficiency notice may submit ~~a written hearing request~~ to the Board a written request for a hearing regarding the deficiency notice.
 3. The Board shall schedule and conduct the applicant's deficiency hearing according to provisions prescribed under A.R.S. § 32-1427(E).
 4. In addition to hearing provisions prescribed under subsection (B)(3), the Board shall send the following to the applicant in writing:
 - a. A notice of ~~a~~ the scheduled hearing at least 21 days before the hearing date; and
 - b. The Board's decision within 30 days after the hearing ~~that shall include~~ and notice of any applicable right of appeal.
- C.** For each type of license, permit, or registration issued by the Board, the substantive review ~~time-frame~~ time frame under A.R.S. § 41-1072(3) is shown on Table 1.

1. The Board may ~~request~~ make a comprehensive written request for additional information from an applicant according to provisions prescribed under A.R.S. § 41-1075 during the substantive review ~~time frame~~ time frame. In any request for additional information, the Board shall include a written notice that the application is withdrawn if the applicant does not submit the additional information within the time provided for response.
2. In response to a single comprehensive written request from the Board under A.R.S. § 41-1075(A), the applicant shall submit the information identified to the Board within the time to respond specified in Table 1. The ~~time frame~~ time frame for the Board to finish the substantive review is suspended from the date the Board sends the comprehensive written request for additional information until the date the Board receives the additional information from the applicant.
3. If the Board determines ~~that~~ the applicant does not meet all substantive criteria for a license, permit, or registration as required under A.R.S. Title 32, Chapter 13 or this Chapter, the Board shall send written notice of denial to the applicant. The Board shall include ~~notification~~ notice of any applicable right of appeal in the denial notice.
4. If the applicant meets all substantive criteria for a license, permit, or registration required under A.R.S. Title 32, Chapter 13 and this Chapter, the Board shall issue the applicable license, permit, or registration to the applicant.

D. An applicant may receive a 30-day extension of the time provided under subsection (B)(1) or (C)(2) by providing written notice to the Board's Executive Director before the time expires.

E. If a licensee does not apply for license renewal according to the biennial renewal requirement, the licensee's license expires according to provisions prescribed under A.R.S. § 32-1430(A) unless the licensee is under investigation according to provisions under A.R.S. § 32-3202. If a licensee makes timely application according to the biennial renewal requirement but fails to respond timely to a deficiency notice under subsection (B)(1) or a request for additional information under subsection (C)(2) and fails to request from the Executive Director an extension of time to respond, the licensee's license expires according to provisions prescribed under A.R.S. § 32-1430(A).

R4-16-207. Time-frames for License Renewal; Expiration Repealed

~~A.~~ ~~For license renewal, the overall time frame under A.R.S. § 41-1072(2) is 90 days.~~

~~B.~~ ~~For license renewal, the administrative completeness review time frame described in A.R.S. § 41-1072(1) is 45 days and begins on the date the Board receives the renewal application.~~

- ~~1. If the required application is not administratively complete, the Board shall send a written deficiency notice to the applicant.~~

- a. ~~In a deficiency notice, the Board shall state each deficiency and the information required to complete the application or supporting documentation.~~
- b. ~~Within 60 days after the Board sends a deficiency notice, the applicant shall submit to the Board the requested documentation or information specified in the notice. The time frame for the Board to finish the administrative completeness review is suspended from the date of the notice until the date the Board receives the requested documentation or information from the applicant.~~
- 2. ~~The provisions prescribed under R4-16-206(B)(2) through (B)(4) apply to this Section.~~
- C.** ~~For license renewal, the substantive review time frame under A.R.S. § 41-1072(3) is 45 days.~~
 - 1. ~~During the substantive review time frame, the Board may request additional information according to provisions prescribed under A.R.S. § 41-1075.~~
 - 2. ~~The applicant shall submit to the Board information identified by a single comprehensive written request from the Board for additional information allowed under A.R.S. § 41-1075(A) within 60 days after the Board sends its request.~~
 - 3. ~~If the applicant meets all license renewal substantive criteria and remits the applicable fee required under A.R.S. Title 31, Chapter 13 and this Chapter, the Board shall issue a license renewal to the applicant.~~
- D.** ~~If a person holding an active license does not apply for license renewal according to the biennial renewal requirement or fails to meet time frame requirements under this Section, the person's license expires according to provisions prescribed under A.R.S. § 32-1430(A) unless the person is under investigation according to provisions prescribed under A.R.S. § 32-3202.~~

Table 1. ~~Time-frames~~ Time Frames

~~Time-frames~~ Time Frames (in calendar days)

Type of License	Overall Time- frame <u>Time Frame</u>	Administrati ve Review <u>Time-frame Time Frame</u>	Time to Respond to Deficien cy Notice	Substantiv e Review <u>Time- frame Time Frame</u>	Time to Respond to Request for Additional Information
Initial License by Examination <u>or</u> <u>Endorsement</u>	240	120	365	120	90

Initial <u>Biennial</u> License by Endorsement <u>Renewal</u>	240 <u>90</u>	120 <u>45</u>	365 <u>60</u>	120 <u>45</u>	90 <u>60</u>
Locum Tenens or Pro Bono Registration	120	60	30 <u>90</u>	60	30
Temporary License	60	30	30	30	30
Teaching License	40	20	30	20	30
Educational Teaching Permit	20	10	30	10	10
Training Permit	40	20	30	20	30
Short Term <u>Short-term</u> Training Permit	40	20	30	20	30
One-year Training Permit	40	20	30	20	30
<u>Annual</u> Registration to Dispense Controlled Substances and Prescription-only Drugs and Devices	150	45	30	105	30